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*Attorneys for Plaintiffs United Natural Foods West, Inc. and United Natural Foods, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

In re

AFFINITY LIFESTYLES.COM, INC.,

Debtor

UNITED NATURAL FOODS WEST, INC.  
and UNITED NATURAL FOODS, INC.,

Plaintiffs,

v.

REAL WATER, INC., AFFINITY  
LIFESTYLES.COM, INC., REAL WATER OF  
TENNESSEE, LLC, SENTINEL INSURANCE  
COMPANY, LIMITED, GREAT AMERICAN  
INSURANCE GROUP, PEERLESS  
INDEMNITY INSURANCE COMPANY,  
WEST AMERICAN INSURANCE  
COMPANY, and OHIO SECURITY  
INSURANCE COMPANY,

Defendants.

Civil Case No. 23-cv-01297-GMN

Received via Transmittal from Bankruptcy  
Case No. BK-S-21-14099-NMC

Chapter 7

Adv. Pro. No. 23-01106-NMC

Hon. Gloria M. Navarro

**DECLARATION OF JOSHUA Q. JAMIESON  
IN SUPPORT OF PLAINTIFFS' MOTION TO CONSOLIDATE  
RELATED PROCEEDINGS AND ESTABLISH COMBINED BRIEFING  
SCHEDULE, OR, IN THE ALTERNATIVE, TO STRIKE UNSERVED PAPERS**

I, Joshua Q. Jamieson, hereby declare as follows:

1           1.       I am over the age of 18 and mentally competent. Except where stated on information  
2 and belief, I have personal knowledge of the facts in this matter and if called upon to testify, could  
3 and would do so.

4           2.       I make this declaration in support of the Plaintiffs' Motion to Consolidate Related  
5 Proceedings and Establish Combined Briefing Schedule, or, in the Alternative, to Strike Unserved  
6 Pleadings ("Motion").

7           3.       All defined terms herein, unless otherwise noted, shall have the meanings ascribed  
8 to them in the Motion.

9           4.       I am counsel of record for Plaintiffs United Natural Foods, Inc., and United Natural  
10 Foods West, Inc. (together, "UNFI") in the above-captioned adversary proceeding ("AVP").

11          5.       I am an attorney licensed to practice law in the State of California and in the District  
12 of Columbia, and I have been admitted to practice and appear *pro hac vice* in the U.S. Bankruptcy  
13 Court for the District of Nevada in connection with the AVP.

14          6.       On or about August 16, 2023, I contacted the clerk's office for the Bankruptcy Court  
15 ("Clerk's Office") to inquire as to whether the Sentinel Motion had yet been docketed in the District  
16 Court, given that the Sentinel Transmittal appeared only to refer to a previous, unrelated motion to  
17 withdraw the bankruptcy reference. The representative of the Clerk's Office informed me that the  
18 case number set forth in the Sentinel Transmittal was, as suggested, merely a reference to previous  
19 withdrawal of the reference motions filed in connection with the Main Case, and that a subsequent  
20 notice would be entered in the AVP when a District Court case number was assigned to the Sentinel  
21 Motion.

22          7.       On or about September 28, 2023, counsel for Liberty sent an email ("September 28  
23 Email") notifying UNFI that the Liberty Motion had been docketed in the district Court and  
24 attaching courtesy copies of the Liberty Motion as docketed (which reflected that the Liberty  
25 Proceeding had been assigned to the case number 23-cv-00756). The September 28 Email was the  
26 first indication that the Sentinel and Liberty Motions had been docketed in the District Court without  
27 a corresponding entry in the Bankruptcy Court or any other notice being provided to UNFI.

28          8.       On information and belief, other than the September 28 Email, UNFI received no

1 formal or informal notice regarding the pendency of the Sentinel and Liberty Proceedings.

2 9. On information and belief, UNFI has not been formally served with the Sentinel or  
3 Liberty Motions, as docketed in the District Court.

4 10. On or about October 2, 2023, counsel for UNFI reached out to counsel for Liberty to  
5 inquire as to whether the latter was amenable to entering a three-way stipulation with Sentinel to  
6 consolidate the briefing for the Liberty and Sentinel Motions, but UNFI has not received a response.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is  
8 true and correct.

9 DATED: October 5, 2023

10  
11 /s/ Joshua Q. Jamieson  
12 Joshua Q. Jamieson  
13

14 **CERTIFICATE OF SERVICE**

15 I hereby certify this document filed through the ECF system was sent electronically to the  
16 registered participants as identified on the Notice of Electronic Filing (NEF), (2) was sent by email  
17 to Jason A. Benkner at [jbenkner@pooleshaffery.com](mailto:jbenkner@pooleshaffery.com); Bart K. Larsen at [blarsen@shea.law](mailto:blarsen@shea.law); Louis  
18 M. Buballa III at [lbubala@kcnvlaw.com](mailto:lbubala@kcnvlaw.com); and Daniel B. Heidtke at [dbheidtke@duanemorris.com](mailto:dbheidtke@duanemorris.com);  
19 and (3) was sent by first-class mail to the following parties on October 5, 2023.  
20

21 /s/ Gidget Kelsey

22 Sentinel Insurance Company, Limited  
23 c/o Louis M. Bubala, III  
24 Kaempfer Crowell  
25 50 W. Liberty St., Ste 700  
26 Reno, NV 89501  
27  
28

1 Ohio Security Insurance Company;  
Peerless Indemnity Insurance Company;  
2 West American Insurance Company;  
c/o Dominica C. Anderson  
3 100 North City Parkway, Suite 1560  
4 Las Vegas, NV 89106

5 Great American Insurance Group  
c/o Bart K. Larsen  
6 Shea Larsen PC  
1731 Village Ctr Cr, Ste 150  
7 Las Vegas, NV 89134

8 Real Water of Tennessee, LLC  
9 c/o Jason A. Benkner  
Poole Shaffery, LLP  
10 25350 Magic Mountain Parkway  
2<sup>nd</sup> Floor  
11 Santa Clarita, CA 91355

12 AFFINITYLIFESTYLES.COM, INC.  
13 Real Water, Inc.  
Real Water of Tennessee, LLC  
14 c/o Brent Jones  
18603 Legend Oaks Dr.  
15 Magnolia, TX 77355  
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